



Lewis County Prosecuting Attorney's Office

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MEMORANDUM

TO: Planning Commission
FROM: Eric Eisenberg, Deputy Prosecuting Attorney
CLIENT: Community Development / Planning Commission
RE: Proposed Zoning Changes re: Animal Kennels, Hospitals, Shelters,
and Boarding Facilities
DATE: October 19, 2015

The purpose of this memorandum is to introduce proposed zoning changes to the Commission, which relate to where animal kennels, hospitals, shelters, and boarding facilities are allowed within the County.

BACKGROUND

Lewis County currently contains several dog kennels, some commercial (selling puppies bred at the facility) and some noncommercial (animal rescues, etc.). Chapter 6.15 LCC regulates the practices of such kennels to ensure that the dogs are kept humanely and in a manner that does not endanger the public health.

The health department has had limited success enforcing its existing laws under Chapter 6.15 LCC. A health official can only inspect or otherwise gain evidence of animal violations when given permission to inspect. Once a person has been warned that they may be in violation, they are loathe to allow the official to inspect and, potentially, cite them for the violation. This prevents the laws from reaching those who are most likely to have violated them.

The County is considering a change to its kennel laws to make them more effective. A proposal will soon be pending before the Board of County Commissioners to require that one obtain an annual permit to operate a kennel, with an inspection required to obtain or renew the permit. Thus, once a year, a health official would be allowed to inspect each kennel for compliance with our existing kennel laws. This would remedy the lack-of-information problem.

RELATION TO LAND USE

As part of this review, the health and community development staff noticed that the zoning code treats animal businesses in an inconsistent and somewhat nonsensical manner. Under the current code, "Animal Kennels" are allowed in

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certain LAMIRD zones with a special use permit, but are not mentioned in the RDD table. Meanwhile, “Animal hospital/boarding” is permitted in all RDD zones.

The two different terms, and their different treatment, seems to suggest that no animal kennels are permitted in RDD zones, and that no animal hospitals/boarding facilities are permitted in LAMIRD zones. Yet, this result does not accord with reality or common sense—animal kennels seem like quintessentially rural businesses, most of the existing kennels are in RDD zones, and areas of more intense development (the LAMIRDs) seem like appropriate places for boarding facilities and animal hospitals. Because the County wishes to *allow* citizens to operate lawful kennels, so long as they abide by the humane-treatment and public-health rules, the time is ripe to clarify that animal kennels and similar facilities are permitted in the zones in which they make sense.

PROPOSED CHANGE

The staff propose the following change to the LAMIRDs and RDD tables in LCC 17.42.030, which will conflate and (mostly) permit all similar animal uses:

**TABLE 1: Rural Area Land Use
– LAMIRDS Zoning Summary**

Use Tier	Uses of Rural Area Lands	17.45 Small Town Mixed Use	17.50 Small Town Residential	17.55 Small Town Industrial	17.60 Crossroad Commercial	17.65 Freeway Commercial	17.95 Rural Residential Center/ Shoreline Residential
II	Animal kennels, shelters, boarding, and hospitals	A	X	P	P/A ¹	P	X

¹ Animal kennels are permitted outright in the majority of Crossroad Commercial areas. Where the areas are adjacent to several nearby residences (i.e. the Galvin and Dorn’s Corner Crossroad Commercial areas), the proposal requires an Administrative Approval to ensure that notice is provided to adjacent landowners.

**Table 2: Rural Area Land Use Zoning Summary
Section 3**

Tier	Use	R 1-5	R 1-10	R 1-20
I	Animal kennels, shelters, boarding, and hospitals	P	P	P

Thank you for your consideration.